

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DOCKET ITEM # 4

IN RE: Fleming Companies

Kemp LLC)	
)	
)	
Appellant)	Civil Action No. 05-834
v.)	
)	
)	
Post Confirmation Trust)	
Appellee)	Bankruptcy Case No.03-10945
		AP No. 05-78

NOTICE OF DOCKETING

A Notice of Appeal of the following order of the Bankruptcy Court dated 10/19/05 was docketed in the District Court on 12/6/05:

Order Granting Cross Motion for Declaratory Relief

In accordance with the Standing Order of the Court dated July 23, 2004, this case shall be referred to the Appellate Mediation Panel, and briefing will be deferred.

Documents prepared for mediation shall be submitted directly to the mediator and should not be filed with the Clerk's Office. Any attorneys of record who are not members of the Bar of this Court shall associate with local counsel in accordance with District of Delaware Local Rule 83.5.

Peter T. Dalleo
Clerk of Court

Date: December 6, 2005

To: U.S. Bankruptcy Court
Counsel